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May 3, 2013

**via ELECTRONIC FILING**

Magistrate Judge A. Kathleen Tomlinson

United States District Court

Eastern District of New York

100 Federal Plaza

Central Islip, N.Y. 11722

Re: United States v. Gershon Barkany  
Docket No.: 13-MJ-280

Dear Judge Tomlinson:

I am writing to request permission for our client Gershon Barkany to spend the upcoming religious holiday of Shavuot and the subsequent Sabbath at the home of his in-laws, who are sureties on his bond, at 14 Sands Point Road, Monsey, New York 10952. The holiday begins at sundown (approximately 8:00 p.m.) on Tuesday, May 14, 2013, and ends on Thursday, May 16, 2013, approximately 90 minutes after sundown (approximately 9:30 p.m.). Mr. Barkany would be leaving his home at 12:30pm on Tuesday, May 14, 2013, and returning on Sunday, May 19, 2013, before 6:00pm.

The reason that Mr. Barkany is requesting to spend the holiday at his in-laws' home and stay through the weekend is due to the sizable preparation necessary prior to Shavuos and then again prior to the Sabbath. In consideration of his wife's difficult pregnancy, it would be very difficult if not impossible for them to prepare for Shavuos and Friday night's Sabbath alone in their home. Of course, he and his wife also want to spend the holiday and the Sabbath with their family and their home is not large enough to accommodate the family that will be present for the holiday.

Mr. Barkany would not be leaving the house for any reason other than to attend religious services and he will be able to stay in contact with pretrial through a landline telephone at times when he is able to use the phone in accordance with Jewish custom.

Separately, Mr. Barkany requests the Court's permission to go to his office, located at 77 Spruce Street, 3<sup>rd</sup> Floor, Cedarhurst, New York 11516, Tuesday and Wednesday, May 7 and 8, 8:00 a.m. to 5:00 p.m., in order to vacate the premises. He has been evicted and has to clean

out the office.

I have contacted AUSA Christopher Caffarone regarding the requests. Mr. Caffarone consents to Mr. Barkany going to his office in order to clean it and vacate the premises. He takes no position on the request for the religious holiday. I also spoke with PSO Christina Bourque who also takes no position on either request.

Thank you in advance for your time and consideration.

BARKET, MARION, EPSTEIN & KEARON, LLP

By: /s/ Bruce A. Barket  
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cc: AUSA Christopher Caffarone (via ECF)  
Christina M. Bourque – (via facsimile (631) 712-6430)

*Application GRANTED.*

**SO ORDERED**

*W. J. P.*  
A. Kathleen Tomlinson  
United States Magistrate Judge  
Date: *May 9* 20 *13*  
Central Islip, N.Y.